

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND

ALBERT L. GRAY, ADMINISTRATOR, ET AL.:  
PLAINTIFFS, :

vs. :

C.A. NO. 04-312L

JEFFREY DERDERIAN, ET AL., :  
DEFENDANTS :

**AFFIDAVIT / CERTIFICATE OF PROOF OF SERVICE**  
**ON DEFENDANT LUNA TECH, INC.**

I, Mark S. Mandell, say of my own personal knowledge that:


1. I am an attorney licensed to practice law in the State of Rhode Island and am a member of the bar of the United States District Court, District of Rhode Island.

2. The Complaint in this matter was filed with the Clerk of the United States District Court, District of Rhode Island on or about July 22, 2004.

3. On or about August 5, 2004, a copy of the Summons and Complaint were forwarded by first-class mail to Luna Tech, Inc., c/o Ed Hinchey, Esq. and Jim Scanlon, Esq. (Authorized Agents for Service of Process), Sloan & Walsh, 3 Center Plaza, Boston, MA 02108, along with an Acknowledgement indicating their acceptance of service of process on behalf of Luna Tech, Incorporated.

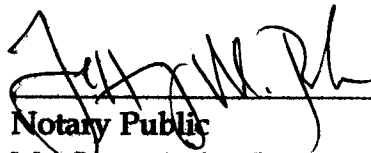
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4. On August 21, 2004, Jim Scanlon, Esq. signed the enclosed Acknowledgement indicating the acceptance of service of process on behalf of Luna Tech, Incorporated. See Acknowledgement, attached hereto.

  
Mark S. Mandell

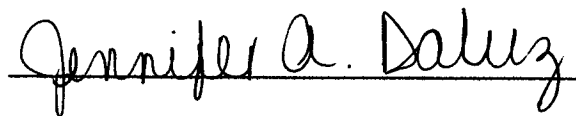
**NOTARY**

Subscribed and sworn to before me in the City of Providence, County of Providence, State of Rhode Island this 2<sup>nd</sup> day of September, 2004.

  
Notary Public  
My Commission Expires: 6/12/09

**CERTIFICATION**

I hereby certify that a true and accurate copy of the within was forwarded by regular mail, postage prepaid, to the individuals listed below on this 3<sup>rd</sup> day of August, 2004.



**CERTIFICATION**

Edward Hinchley, Esq.  
James Scanlon, Esq.  
Sloan & Walsh  
3 Center Plaza  
Boston, MA 02108

**UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND**

**ALBERT L. GRAY, ADMINISTRATOR, ET AL.  
PLAINTIFFS,**

**vs.**

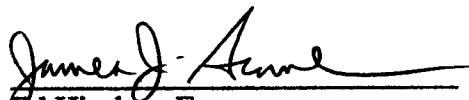
**JEFFREY DERDERIAN, ET AL.,  
DEFENDANTS**

**C.A. NO. 04-312L**

**ACKNOWLEDGEMENT**

1. We, Ed Hinchey, Esq. and Jim Scanlon, Esq. are authorized to accept service of process on behalf of Luna Tech, Inc. and to accept service of process in lieu of this defendant being served directly by plaintiffs' counsel pursuant to Federal Rule 4;
2. By accepting the enclosed summons and one complaint, Luna Tech, Inc. agrees to waive any potential requirement that they receive a complaint from each plaintiff or each law firm representing each plaintiff;
3. By accepting this service of process Luna Tech, Inc. acknowledges that full and complete service of process has been made in satisfaction of and compliance with Federal Rule 4 and 28 U.S.C. sec. 1448.

Signed,

  
Ed Hinchey, Esq.  
Jim Scanlon, Esq.

Dated: 8/21/04

# UNITED STATES DISTRICT COURT

District of Rhode Island

Albert Gray, Administrator, Et Al.

V.

Jeffrey Derderian, Et Al.

## SUMMONS IN A CIVIL CASE

CASE NUMBER: 04-312L

TO: (Name and address of Defendant)

Luna Tech, Inc.  
c/o Edward Hinchey, Esq. and Jim Scanlon, Esq.  
Sloan & Walsh (Authorized Agents for Service of Process)  
3 Center Plaza  
Boston, MA 02108

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

Please refer to the names and addresses of Station Fire Plaintiffs' Steering Committee, attached hereto as Exhibit "A" who represent the respective plaintiffs listed in Exhibit "A" attached hereto and in the Complaint, which is served herewith.

The Answer referred to below must be served on the Plaintiffs' Attorney identified for the respective plaintiffs listed in Exhibit "A" attached hereto and in the Complaint.

an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

CLERK

(By) DEPUTY CLERK

*Concetta R. Grini*

DATE

8/4/04

### RETURN OF SERVICE

Service of the Summons and complaint was made by me <sup>(1)</sup>	DATE August 5, 2004
NAME OF SERVER (PRINT) Mark S. Mandell, Esq.	TITLE Counsel for Plaintiffs
Check one box below to indicate appropriate method of service	

- ☐ Served personally upon the third-party defendant. Place where served: \_\_\_\_\_
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- ☐ Returned unexecuted: \_\_\_\_\_
- ☒ Other (specify): See Affidavit/Certificate of Proof of Service and Acknowledgement attached hereto.

### STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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### DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

9/2/04  
Date

Signature of Server

Mark S. Mandell

One Park Rpw, Providence, RI 02903  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

## EXHIBIT "A"

### Station Fire Plaintiffs' Steering Committee:

#### Co-Chairs:

Mark S. Mandell, Esq.  
MANDELL, SCHWARTZ & BOISLCAIR  
One Park Row  
Providence, RI 02903  
(401) 273-8330  
Plaintiffs #13d and 3, #17 through #63,  
inclusive, #133 through #190, inclusive  
and #225 and #226

Max Wistow, Esq.  
WISTOW & BARYLICK INC.  
61 Weybosset Street  
Providence, RI 02903  
(401) 831-2700  
Plaintiffs #13d and 3, #17 through #63,  
inclusive, #133 through #190, inclusive  
and #225 and #226

#### Vice-Chair:

Patrick T. Jones, Esq.  
COOLEY MANION JONES, LLP  
21 Custom House Street  
Boston, MA 02110  
(617) 737-3100  
Plaintiffs #1 through #12, #13a, b and c,  
#14 through #16, inclusive, #80 through  
#132, inclusive, and #222 and #223

#### Additional Members:

Michael A. St. Pierre, Esq.  
REVENS, REVENS & ST. PIERRE  
946 Centerville Road  
Warwick, RI 02886  
(401) 822-2900  
Plaintiffs #65(b), #71 through #75,  
inclusive, #196 through #215, inclusive and  
#224

Stephen E. Breggia, Esq.  
BREGGIA, BOWEN & GRANDE  
395 Smith Street  
Providence, RI 02908  
(401) 831-1900  
Plaintiffs #64, #65(a), #66 through #68,  
inclusive and #192 through #195,  
inclusive

Steven A. Minicucci, Esq.  
CALVINO LAW ASSOCIATES  
373 Elmwood Avenue  
Providence, RI 02907  
(401) 785-9400  
Plaintiffs #76 through #79, inclusive and  
#215 through #221, inclusive

Eva Marie Mancuso, Esq.  
HAMEL, WAXLER, ALLEN & COLLINS  
387 Atwells Avenue  
Providence, RI 02909  
(401) 455-3800  
Plaintiffs #69, #70 and #199

Charles N. Redihan, Esq.  
KIERNAN, PLUNKETT & REDIHAN  
91 Friendship Street  
Providence, RI 02903  
(401) 831-2900  
Plaintiff #191